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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,166	03/12/2004	Christoph H. Krah	APL1P304/P3265	9053
22434	7590	12/15/2005	EXAMINER	
BEYER WEAVER & THOMAS LLP			DUONG, HUNG V	
P.O. BOX 70250			ART UNIT	PAPER NUMBER
OAKLAND, CA 94612-0250			2835	

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

Office Action Summary	Application No.	Applicant(s)	
	10/800,166	KRAH, CHRISTOPH H.	
	Examiner	Art Unit	
	Hung v. Duong	2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-15,17-21 and 24-31 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,4-8,19,24-27 and 29 is/are allowed.
- 6) ☒ Claim(s) 9-13,15 and 17 is/are rejected.
- 7) ☒ Claim(s) 14,18 and 20-2128 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/22/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.



DETAILED ACTION

Claim Objections

1. Claim 20 is objected to because of the following informalities: claim 20 should depend on --claim 19—not “claim 9”. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 9-13, 15, 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Wang et al (US Pat. 6,659,516).

Regarding claims 9-13, 15, 17 Wang et al disclose a laptop computer, comprising: a base 102 containing a processor; a lid 104 pivotally coupled to the base 102, the lid 104 containing a display 118 operatively coupled the processor; a latch 125 pivotally coupled to the lid 104, the latch 125 containing an electronic feature operatively coupled to the processor and a locking feature for lockably engaging the base, the latch

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being automatically positioned in a home position when the lid 104 is positioned in an open position; and wherein the latch 125 is automatically positioned in a lock position when the lid 104 is positioned in a closed position (column 4, lines 1-25) wherein the latch 125 includes a slider switch 129 for disengaging the locking feature from the base 102 wherein the lid 104 includes an LCD 118 that is surrounded at its periphery by a bezel 120, and wherein the latch 125 is attached to the bezel 120 wherein the latch 125 is configured to mate with a cut-out in the base 102 in order to secure the lid 104 to the base 102 wherein the locking feature is a hook 204 that is configured to capture a plunger attached to the base 102 and located in the cut-out.

Allowable Subject Matter

4. Claims 14, 18, 20-21, 28, 30-31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to show that the latch contains a camera that is operatively coupled to the processor, the camera including a CMOS image sensor chip and a lens assembly or that the lid is pivotally coupled to the base via a first hinge mechanism and the latch is pivotally coupled to the lid via a second hinge mechanism, and wherein the latch tilting mechanism includes a belt that rotatably couples an axle of the first hinge mechanism to an axle of a second hinge mechanism.

5. Claims 1, 4-8, 19, 24-27, 29 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to show that the latch including a data capture device, the latch being configured to move relative to the lid, the movement including a pivot and at least one of a swivel and a translation.

Response to Amendment

6. Applicant's arguments with respect to claims 1, 4-15, 17-21, 24-31 has been considered but is moot in view of the new ground(s) of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kumar et al (US Pat. 5,548,478) teach portable computer device having adjustable hinge.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung v Duong whose telephone number is 571-272-2041. The examiner can normally be reached on M-F from 8:30 to 5:00PM.

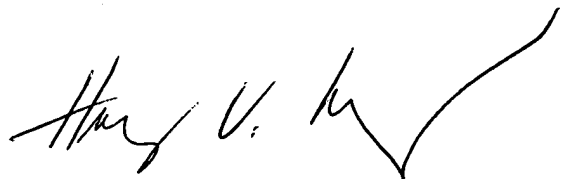
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Field can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HVD

12/06/05.

A handwritten signature in black ink, appearing to read 'Hung V. Duong', with a long, sweeping horizontal line extending to the right.

Hung Duong
Primary Examiner.